

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:09-CR-445-RLH (PAL)
)	
HOWARD FARRELL A.K.A.)	
FARRELL HOWARD,)	
)	
Defendant.)	

AMENDED PRELIMINARY ORDER OF FORFEITURE

This Court finds that on August 23, 2010, defendant HOWARD FARRELL A.K.A. FARRELL HOWARD pled guilty to Count One of a One-Count Superseding Criminal Information charging him with Possession of a Controlled Substance with Intent to Distribute, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(ii).

This Court finds defendant HOWARD FARRELL A.K.A. FARRELL HOWARD agreed to the forfeiture of property set forth in the Forfeiture Allegations of the Superseding Criminal Information.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Superseding Criminal Information and the offense to which defendant HOWARD FARRELL A.K.A. FARRELL HOWARD pled guilty.

...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); Title 21, United
3 States Code, Section 853(a)(1) and (a)(2); and Title 21, United States Code, Section 881(a)(11) and
4 Title 28, United States Code, Section 2461(c):

- 5 a) a Walther, model P99, 9mm semi-automatic handgun bearing
- 6 serial number 017796; and
- 7 b) any and all ammunition.

8 This Court finds the United States of America is now entitled to, and should, reduce the
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
11 United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
13 HOWARD FARRELL A.K.A. FARRELL HOWARD in the aforementioned property is forfeited and
14 is vested in the United States of America and shall be safely held by the United States of America until
15 further order of the Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
17 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
18 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
19 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
20 the name and contact information for the government attorney to be served with the petition, pursuant
21 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

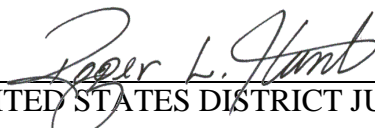
22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
23 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
25 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
26 following address at the time of filing:

1 Michael A. Humphreys
Assistant United States Attorney
2 Daniel D. Hollingsworth
Assistant United States Attorney
3 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
4 Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
6 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
7 following publication of notice of seizure and intent to administratively forfeit the above-described
8 asset.

9 DATED this 4th day of November, 2010.

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11 
12 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I, Alexandra M. McWhorter, certify that the following individuals were served with copies of the Amended Preliminary Order of Forfeiture on November 3, 2010 by the below identified method of service:

E-mail/ECF

James Dean Leavitt
Law Office of James Dean Leavitt
200 Hoover Avenue Suite 150
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Email: vegasleavitt@aol.com
Counsel for Howard Farrell aka Farrell Howard

/s/AlexandraMMcWhorter
ALEXANDRA M. MCWHORTER
Forfeiture Support Associate Paralegal